

species shown at the bottom of the scheme on page 40 as Compound 1. For the Examiner's convenience, it is noted that this represents a biodegradable polymer having one or more units of the formula -R1-A-L-A-, wherein R1 is salicylic acid; each A is an ester linkage; and L is 1,8-octadiyl (please see page 2 of the Requirement for Restriction).

Applicant respectfully traverses the restriction requirements described above. Under MPEP 803 a restriction requirement is improper when examination of all the claims in an application can be made without serious burden to the Examiner. Applicant respectfully submits that the pending claims can be examined without serious burden to the Examiner. The pending claims are directed to devices and methods that relate to biodegradable polymers that degrade to provide a sustained release of an anti-inflammatory compound. It is respectfully submitted that the Examiner should be able to completely search and review the related art without an undue burden. Accordingly, restriction of the pending claims is improper under MPEP 803. Withdrawal of the requirements for restriction is appropriate and is respectfully requested.

The Examiner is invited to contact Applicant's Representative at the below-listed telephone number if there are any questions regarding this Response or if prosecution of this application may be assisted thereby. If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 50-3503. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extension fees to Deposit Account 50-3503.

Respectfully submitted,

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By their Representatives,

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Date: January 8, 2007

By: 

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